



Dannel P. Malloy
Governor

STATE OF CONNECTICUT DEPARTMENT OF CORRECTION

OFFICE OF THE COMMISSIONER



Scott Semple
Commissioner

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Committee Bill No. 5134

AN ACT CONCERNING FUNDS FOR MEDICAL CARE OF INMATES

Committee Bill No. 5134 will require DOC to transfer to the General Fund, at the end of each quarter, any cash balance in the Correction Commissaries account remaining after expenses have been paid.

Impact of Committee Bill No. 5134

Section 1 of the proposed bill will **immediately deplete** retained resources of the correctional commissaries which will **limit the ability of the commissaries to replace aging and obsolete equipment and to make necessary capital improvements**. This will impact the ability of the commissary operation to plan for future upgrades. This proposed bill will limit agency costs that can be covered by the fund, potentially shifting current expenditures to the General Fund.

Section 2 of the proposed bill will **immediately deplete** the Correctional Welfare Fund which will result in the **elimination of funding for various programs (including program support expenditures such as program supplies and materials, minor equipment and inmate employment supported by these funds) and end the ability of the agency to pay for copies of Birth Certificates and DMV ID's for inmates with insufficient funds, materials and supplies for religious activities, television services in facility day rooms and recreation supplies**. DOC expended approximately \$234,000 from this fund in Fiscal Year 2015. The items/services purchased with the use of the Correctional Welfare Fund keep inmates occupied, active and healthy which significantly contributes to the safety and security of DOC's facilities. The elimination or limiting of this resource has the real potential to significantly impact the safety of agency staff and the inmates in the agency's care and custody. While these expenditures may appear to be trivial or even frivolous, keeping inmates occupied and positively engaged is an essential part of managing the inmate population and maintaining order and security. **Diverting these funds from DOC's use may necessitate the agency's use of general funds for some of these expenditures.**

Background

Correctional Commissaries

Section 18-81 of the CGS provides that the industrial fund for the institutions of the department as a revolving fund for the maintenance and continuance of such productive industries as the commissioner directs and for the purchase of supplies, stock, tools, machinery and other equipment to promote in any way the industrial activities, including agricultural activities, of the institutions. The

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24 Wolcott Hill Road ♦ Wethersfield, Connecticut 06109
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proceeds from all sales resulting from such activities shall be paid to the Treasurer and credited to said fund.

Public Act 98-263 allowed the Commissioner to establish and operate commissaries. Specifically the Public Act states that: *the Commissioner of Correction may establish, within the Industrial Fund, commissaries to be operated for the purpose of sale to inmates of items authorized by the commissioner. The cost of the commissary operation shall be charged to the fund and the proceeds of such sales shall be deposited in the fund. The commissioner is authorized to transfer a portion of the profits from the operation of the commissaries to the Correctional General Welfare Fund established under section 4-57a.* This is reflected in section (k) of CGS section 18-88.

The Correctional Commissary is a self-supporting operation. The Commissary sells food, limited clothing items, religious items, a limited assortment of personal hygiene items and OTC medications and a limited selection of electronic devices (i.e. compact disc player, am/fm radio, television set, etc...) and music CDs. Inmates make purchases with funds in their Inmate Account. Funds in an inmate's account come from wages paid from inmate jobs within the facilities, from deposits made by family members and other approved individuals and from other income sources designated for deposit in the account by the inmate.

Item sales cover the cost of running the operation – staff wages, delivery vehicle costs, fuel costs, equipment costs, inventory costs and inmate labor costs. Sales tax is collected on all taxable items and in FY15 \$384,132 was collected and transferred to the Department of Revenue Services. Excess income (net income not retained for equipment replacement/capital improvements) is transferred to the Correctional Welfare Fund.

Correctional Welfare Fund

Section 4-57a of the CGS grants the Commissioner the authority to establish the Correctional Welfare Fund. Per the Public Act the Correctional Welfare Fund is to be used *for the benefit of the inmates of any institution in any manner which the commissioner of correction deems suitable.* This is reflected in CGS Section 4-57a.

Private donations, gifts and bequests may be made to the Correctional Welfare Fund. If such donations, gifts or bequests are made for a designated purpose, they are placed in a restricted account and are not made available within the balance of undesignated funds within the Correctional Welfare Fund. Other sources of funding include: Unclaimed Inmate Account funds (Purged Accounts) are also transferred to the Correctional Welfare Fund after all reasonable attempts have been made to return the unclaimed balance; excess funds from the operation of correctional commissaries are transferred to the fund; and interest earned on the fund balance. The largest sources of funding for the Correctional Welfare Fund are the correctional commissaries and purged accounts.

The agency uses the Correctional Welfare Fund for the benefit of inmates by purchasing goods and services that exceed those required for the basic care and custody of inmates. Essentially the fund is used for **reentry related items/services such as obtaining birth certificates and state identification for discharging inmates** and for quality of life expenditures such as board games, athletic/gym supplies (i.e. basketballs), art supplies and limited television service to facility day rooms.